

REMARKS

Claims 1, 3-15, 17-22, 24, 25, 27-29 and 31-33 remain pending in the application.

Claims 1, 3-15, 17-22, 24, 25, 27-29 and 31-33 over Schmidt in view of Bando

In the Office Action, claims 1, 3-15, 17-22, 24, 25 and 27-33 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 6,160,585 to Schmidt et al. ("Schmidt") in view of U.S. Pat. No. 6,040,867 to Bando et al. ("Bando"). As discussed in each of the previous THREE Amendments (filed on August 6, 2003, February 18, 2004 and August 3, 2004), claim 30 was canceled. Otherwise, the Applicant respectfully traverses the rejection.

Claims 1, 3-15, 17-22, 24, 25, 27-29 and 31-33 variously recite a packetized, digital audio broadcast (DAB) system, including a unique local identifying code in a header of each data packet relating to each local digital packetized audio information source.

A digital audio broadcast (DAB) system is a specialized system for broadcasting DIGITAL AUDIO information to a plurality of receivers. A DAB system's topology is similar to conventional radio in that there is a centralized transmitter transmitting to a plurality of receivers. **NONE** of the prior art applied by the examiner relates to the unique problems associated with a DAB system.

Both cited references, Schmidt and Bando, are directed toward video transmissions, with no disclosure or suggestion for application to a DAB system.

In particular, Schmidt teaches a conventional streaming video transmission system wherein video is passed through an analog multiplexer 14 (Fig. 1) that combines two streaming video data signals into a single streaming video data signal. (Schmidt, col. 2, lines 7-10) According to Schmidt, normal or baseline video is streamed continuously by all receivers, while the streaming video signal for commercials may be multiplexed with the baseline streaming video signal. (Schmidt, col. 2, lines 19-23; 37-40; 51)

The present invention claims a packetized local DIGITAL BROADCAST AUDIO (DAB) system—NOT video!

It is respectfully submitted that a person of ordinary skill in the art would NOT have looked to Schmidt in combination with multiple other references cited by the Examiner to build improved packetized audio techniques as claimed.

The Examiner cites Schmidt as a primary reference alleging, inter alia, that it teaches use of a plurality of local broadcast identifying codes each associated with a respective one of the plurality of local content source information streams (e.g., a level address discrimination which bases upon the geographical location). (Office Action at 2)

The use of unique local identifying codes are an important part of the present invention, as is their placement in a header of each data packet relating to each local digital packetized audio information source. The Examiner provides absolutely no reference to any particular feature in Schmidt that discloses unique local identifying codes as claimed. Rather, the Examiner simply states a generality that is somewhat unintelligible, i.e., “(e.g. a level address discrimination which bases upon the geographical location)”. Whatever the Examiner is referring to, it certainly isn’t a unique local identifying code that’s placed in a header of each data packet, as claimed by all pending claims of the present invention.

Nevertheless, the Examiner agrees that “Schmidt **fails to teach a digital** radio transmitter and **packetizing** the information stream, wherein at least one of the plurality of **local broadcast identifying codes is contained in a header of each data packet**”. (Office Action at 3)

To cure the MANY and IMPORTANT deficiencies of the base reference of Schmidt, the Examiner cites Bondo for allegedly teaching a “baseband **VIDEO** signal to packet (col. 3, lines 9-17), which contains identifying codes in header of each data packet (col. 3, lines 22-24).” (Office Action at 3)(emphasis added)

By the Examiner's own interpretation, Schmidt and Bondo each teach a VIDEO signal.

The present invention relates not only to an AUDIO signal, but to a very specific AUDIO format called DIGITAL AUDIO BROADCAST (DAB).

A digital signal is NOT an audio signal, and CERTAINLY not the very specific format of a DIGITAL AUDIO BROADCAST (DAB) signal.


Neither Schmidt nor Bondo, either alone or in theoretical combination, even if proper, disclose, teach or suggest a DIGITAL AUDIO BROADCAST (DAB) system as claimed by claims 1, 3-15, 17-22, 24, 25, 27-29 and 31-33.

For these and other reasons, claims 1, 3-15, 17-22, 24, 25, 27-29 and 31-33 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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